



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

JUL 31 2014

Ref: 8EPR-EP

Karl Rockeman
North Dakota Department of Health
Environmental Health Section
Division of Water Quality
918 East Divide Avenue
Bismarck, North Dakota 58501-1947

Re: Notification of Clean Water Act (CWA) § 404 Nationwide permit action that may affect the quality of certain waters of the State of North Dakota

Dear Mr. Rockeman:

The United States Environmental Protection Agency Region 8 has received a request for Clean Water Act CWA § 401 water quality certification regarding permit coverage under U.S. Army Corps of Engineers CWA § 404 Nationwide Permit Number 14 for a railroad loop supplying a transload facility near Makoti, North Dakota. In accordance with CWA § 401(a)(2), the EPA is notifying you that the activity may affect the quality of State waters, specifically the East Fork of Shell Creek in North Dakota. Enclosed please find the materials the EPA has received regarding this project. If you have any questions please contact Toney Ott of my staff at 303-312-6909, or ott.toney@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Garcia", is positioned above the typed name of the signatory.

Humberto L. Garcia, Jr., Director
Ecosystems Protection Program

cc: Richard Mayer
Thunder Butte Refinery

Jerry Koblitz
Arcadis

Toni Erhardt
U.S. Army Corps of Engineers



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